

Message Text

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PAGE 01 PORT L 00742 050601Z
ACTION EB-08

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E.O. 11652: N/A
TAGS: ETRD, ELAB, MP
SUBJECT: INFORMATION ON LABOR STANDARDS IN MAURITIUS

REF: STATE 136706

1. POST HAS CONSULTED WITH TWO MAURITIAN AUTHORITIES ON LABOR LAW AND PRACTISE IN MAURITIUS: THE PRINCIPAL LABOR OFFICER, MR. ASGARALLY ADAMJEE OF THE MINISTRY OF LABOR AND INDUSTRIAL RELATIONS, AND A REPRESENTATIVE OF THE MAURITIUS EMPLOYERS FEDERATION. BOTH OBSERVED THAT MAURITIUS HAS A VOLUMINOUS AND DETAILED SERIES OF LABOR LAWS COVERING ALL FACETS OF LABOR, INDUSTRIAL RELATIONY, LABOR UNIONS, THE ROLE OF INTERNATIONAL ORGANIZATIONS IN MAURITIAN LABOR UNIONS, AS WELL AS MANY DIFFERENT LABOR CODES DEPENDING ON THE TYPE OF WORK THAT IS BEING PERFORMED BY MAURITIAN LABORERS. INDIVIDUAL LAWS HAVE BEEN PROMULGATED TO COVER THE EXPORT PROCESSING ZONE (EPZ), THE IMPORT SUBSTITUTION INDUSTGAIL ZONE, THE AGRICULTURAL SECTOR, THE PORT AND DOCK WORKERS SECTORS, FREIGHT HAULING AND FORWARDING, ETC. IT WOULD BE IMPOSSIBLE FOR THE POST TO PROVIDE A DETAILED REPORT ON INDIVIDUAL LAWS BUT A LIMITED OFFICIAL USE

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PAGE 02 PORT L 00742 050601Z

SUMMARY OF THE PERTINENT POINTS HAS BEEN FORMULATED.

2. THERE ARE STRICT LAWS IN MAURITIUS BANNING THE USE OF SLAVE, INDENTURED, OR FORCED LABOR IN ANY SECTOR IN MAURITIUS. CHILD LABOR LAWS FORBID THE USE OF CHILD LABOR, WHICH IS DEFINED FOR THE PURPOSES OF THE LAW AS ANY REMUNERATED LABOR PERFORMED BY MINORS UNDER THE AGE

OF 15 YEARS OF AGE.

3. THERE IS A FULL BATTERY OF LAWS GOVERNING SAFETY AND WORKING CONDITIONS, WHICH IS BASED ON REGULATIONS RECOMMENDED BY THE INTERNATIONAL LABOR ORGANIZATION (ILO). THIS BATTERY OF LAWS IS CURRENTLY BEING AMENDED AND REWRITTEN AND WILL BE PROMULGATED IN THE LATTER HALF OF 1978.

4. AS STATED IN PARAGRAPH ONE ABOVE, A LARGE BODY OF LABOR LAWS EXISTS GOVERNING THE DIFFERENT ECONOMIC SECTORS IN MAURITIUS. STATED BRIEFLY, THE HIGHEST AND STRICTEST LABOR STANDARDS WHICH ATTEMPT TO FOLLOW ILO GUIDELINES ARE THOSE WHICH BEAR ON THE SUGAR INDUSTRY AND THE IMPORT SUBSTITUTION INDUSTRIES IN MAURITIUS. THE EPZ IS SUBJECT TO SLIGHTLY LESS STRINGENT REGULATIONS AND LAWS, BUT THE GOVERNMENT IS NOW MAKING A DETERMINED EFFORT TO BRING ALL SECTORS OF THE ECONOMY INTO HARMONY.

5. UNIONS AND UNION ACTIVITIZS, SO LONG AS THEY DO NOT IMPINGE ON THE NATIONAL WELFARE OF MAURITIUS, ARE LEGAL AND REGULATED BY ANOTHER GROUP OF LAWS, WHICH PROTECT THE UNIONS AND WORKERS' RIGHTS TO JOIN AND PARTICIPATE IN THEM. COLLECTIVE BARGAINING, GO2SLOWS, AND STRIKES ARE PERMITTED ALTHOUGH THE GOVERNMENT RESERVES THE RIGHT TO END A STRIKE WHEN IT BELIEVES NATIONAL SECURITY IS AT STAKE. IN PRACTICE LIMITED OFFICIAL USE

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PAGE 03 PORT L 00742 050601Z

THIS HAS NOT HAPPENED WITHIN MEMORY. WAGES IN MAURITIUS ARE PEGGED TO THE CONSUMER PRICE INDEX LEVELS AND INCREASES IN THE COST OF LIVING ARE REFLECTED IN YEARLY WAGE HIKES.

6. THE EMBASSY HAS OBTAINED AND IS POUCHING COPIES OF TWO KEY LABOR ORDINANCES, WHICH GOVERN THE LABOR SECTOR IN MAURITIUS. THESE ARE THE INDUSTRIAL RELATIONS ACT OF 1973 AND THE LABOR ACT OF 1975. TAKEN TOGETHER, THESE TWO ACTS SET THE TONE FOR ALL OTHER LABOR LEGISLATION IN THE COUNTRY.
KEELEY

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